

Hearing Date: April 20, 2022  
Opposition Date: March 15, 2022  
Reply Date: March 31, 2022

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

FAIRFIELD SENTRY LIMITED, et al.,

Debtor in Foreign  
Proceedings.

Chapter 15 Case

Case No. 10-13164 (CGM)

Jointly Administered

FAIRFIELD SENTRY LTD. (IN  
LIQUIDATION), et al.,

Plaintiffs,

v.

THEODOOR GGC AMSTERDAM, et al.,

Defendants.

Adv. Pro. No. 10-03496 (CGM)

Administratively Consolidated

**ORAL ARGUMENT REQUESTED**

FAIRFIELD SENTRY LTD. (IN  
LIQUIDATION), et al.,

Plaintiffs,

v.

HSBC SECURITIES SERVICES  
(LUXEMBOURG) S.A., et al.,

Defendants.

Adv. Pro. No. 10-03630 (CGM)

**NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that, pursuant to this Court's September 28, 2021 Order, upon the accompanying Memorandum of Law in Support of HSBC Securities Services (Luxembourg) S.A.'s Motion to Dismiss for Lack of Personal Jurisdiction Under Rule 12(b)(2), defendant HSBC

Securities Services (Luxembourg) S.A. will move this Court for an order dismissing the Fourth Amended Complaint (Dkt. 167) filed by Fairfield Sentry Ltd. and Fairfield Sigma Ltd., by and through Kenneth M. Krys and Greig Mitchell, and the Liquidators, solely in their capacities as the liquidators for Fairfield Sentry Ltd. and Fairfield Sigma Ltd., pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that this motion is without prejudice to HSBC Securities Services (Luxembourg) S.A.'s right to seek dismissal for failure to state a claim, or on other grounds, and that such defenses are expressly preserved.

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PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, HSBC Securities Services (Luxembourg) S.A. does not consent to the entry of final orders or judgment by this Court.

Dated: October 29, 2021  
New York, NY

Respectfully submitted,

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HAMILTON LLP

By: /s/ Jeffrey A. Rosenthal

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TO: All Counsel of Record